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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,478	09/29/2006	Marcel Beij	NL 040340	9572
24737 7590 04/15/2009 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER CHEN, JIANZI	
			ART UNIT 2821	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/599,478	BEIJ ET AL.	
	Examiner	Art Unit	
	Jianzi Chen	2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/30/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Receipt is acknowledged of applicant's amendment filed on December 24, 2008. Claims 1-6 and 8-9 have been amended; Claims 10-18 have been added; Claims 1-18 are pending and an action on the merits is as follows.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang, WO Publication No. 2004/023849 A1 in view of Morgan et al., US Publication No. 2002/0145394 A1.

Regarding claim 1, Wang discloses in fig.1A a device for controlling the lighting (lighting control system, abstract) in a room, the device comprising a controller unit (100, fig.1A), the controller unit comprising a processor (MCU, fig.2), one or more light measuring cells (sensors 35,37, fig.1A) communicatively connected to the processor(MCU), and one or more luminaires (10,20,30, fig.1A), wherein the one or more luminaires (10,20,30) and the controller unit (100) are communicatively connected in an addressable digital lighting system (DALI, fig.1A) as shown above; but does not specifically disclose assign address to each luminaire as claimed. However Morgan teaches of an apparatus for a lighting system comprising a processor (102) wherein the

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processor (102) is programmed to automatically identify a spatial position (lighting condition, it could include spatial position) of each luminaire based on the one or more light measuring cells (35 and 37, page 4, section 39), and thereby automatically provide a relationship between the spatial position of each luminaire and a digital address (page 5, section 46) associated with each luminaire (page 2, section 27 and detail description of figs. 1 and 3). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Morgan's invention with Wang's invention because Morgan provides the motivation that it would be much easier and faster to attach a lighting device to a programming device with loading address into the lighting device (page 2, section 28).

Regarding claims 2 and 3, the device of claim 1, Morgan further teaches wherein the spatial position of each luminaire is identified from perceived light levels or changes in perceived light levels (page 3, section 37); Morgan further teaches the limitation from claim 3, wherein the processing means is adapted to install pre-programmed lighting scenes suitable for the determined configuration of luminaries (detail description of figs. 1 and 3). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Morgan's invention with Wang's invention because Morgan provides the motivation that it would be much easier and faster to attach a lighting device to a programming device with loading address into the lighting device (page 2, section 28).

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Regarding claim 4, the device of claim 1, Wang further discloses wherein the luminaries include gas discharge lamps (it is well known in the art of circuitry the lighting unit could be a gas discharge lamp) and the processor (MCU) is communicatively connected to a ballast (5, 15, 25, fig.1A) of each of the gas discharge lamps.

Regarding claim 5, the device of claim 1, Wang further discloses the device including a user control (user interface, page 9, lines 1-9) for controlling the luminaries individually or in groups.

Regarding claim 6, Wang discloses in fig.1A a controller unit for controlling the lighting in a room, the controller unit (100) comprising a processor (MCU, fig.2), and one or more light measuring cells (**35 and 37 fig.1A**) communicatively connected to the processor (MCU, fig.2); and wherein the controller unit (100) is communicatively connected to one or more luminaries(**10,20,30**) via an addressable digital lighting system (DALI, fig.1A) as shown above; but does not specifically disclose assign address to each luminaire as claimed. However Morgan teaches of an apparatus for a lighting system comprising a processor (102) wherein the processor (102) is programmed to automatically identify a spatial position (lighting condition, it could include the spatial position) of each luminaire using the one or more light measuring cells (page 4, section 39) and thereby automatically provide a relationship between the spatial position of each luminaire and a digital address (page 5, section 46) associated with the luminaire (page 2, section 27 and

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detail description of figs. 1 and 3). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Morgan's invention with Wang's invention because Morgan provides the motivation that it would be much easier and faster to attach a lighting device to a programming device with loading address into the lighting device (page 2, section 28).

Regarding claim 7, Wang further discloses a connector device (RF transmitter and RF receiver) communicatively connected to two or more of the devices according to claim 1, wherein the connector device (RF transmitter and RF receiver) is adapted to control each of the two or more devices, and thereby adapted to control each of the luminaires connected to each of the two or more devices (abstract).

Regarding claim 8, the connector device of claim 7, Morgan further teaches wherein the control device comprises a processor and wherein the processor is adapted to install pre-programmed lighting scenes suitable for the control of the two or more devices (detail description of figs.1 and 3). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Morgan's invention with Wang's invention because Morgan provides the motivation that it would be much easier and faster to attach a lighting device to a programming device with loading address into the lighting device (page 2, section 28).

Regarding claim 16, the device of claim 1, Wang further discloses wherein the processor is configured to automatically assign the digital address to each luminaire (page 5, section 46).

Regarding claim 17, the device of claim 1, Wang further discloses wherein the processor is configured to automatically identify the spatial position of each luminaire by sequentially activating each luminaire and determining the spatial position based on signals received from the one or more light measuring cells during each sequential activation (page 5, section 46, page 6, section 54).

Regarding claim 18, the device of claim 6, Wang further discloses wherein the processor is configured to automatically identify the spatial position of each luminaire by sequentially activating each luminaire and determining the spatial position based on signals received from the one or more light measuring cells during each sequential activation (page 5, section 46, page 6, section 54).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9- 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Morgan et al., US Publication No. 2002/0145394 A1.

As to claim 9, Morgan discloses in fig.2 and related description a method for identification of an individually addressable luminaire in a room, the method comprising turning off all the luminaires (generating an address or other information on the programming device, which could be information of turning off the luminaires, page 5, section 50),
turning on a first luminaire and measuring by using a light detector at least on of the light intensity of the incident light and the direction (the information could be intensity and direction of light) from where the incident light originates, then turning off the first luminaire (page 6, sections 54 and 55),
turning on a next luminaire and measuring at least one of the light intensity of the incident light and the direction (the information could be intensity and direction of light) from where the incident light originates, then turning off the next luminaire (page 6, sections 54 and 55),
repeating the turning on of the nest luminaire and measuring the light intensity until the at least one light intensity and direction has been measured for each of the luminaires (page 5, section 50-page 6, section 55),
determining a spatial position of each of the luminaires from the measured light intensities and/or directions, and providing a corresponding spatial positions to a digital address associated with each of the luminaires (page 5, section 50-page 6, section 55).

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As to claim 10, the method of claim 9, Morgan further discloses the method including providing a plurality of predefined lighting scenes (the stored data could be predefined lighting scenes, page 4, section 38) to facilitate control of the luminaires based on their spatial position (the data or information could include the spatial position, page 4, section 38).

As to claim 11, the method of claim 10, Morgan further discloses the method including providing a user control that facilitates selection of a select scene from among the plurality of lighting scenes, and controlling the luminaires based on the select scene (page 4, section 38).

As to claim 12, the method of claim 11, Morgan further discloses the method including allowing the user control to override the controlling of the luminaires based on the select scene (user interface could include allowing user to override, page 4, section 38).

As to claim 13, the method of claim 9, Morgan further discloses the method including providing a user control that facilitates controlling the luminaires individually or in groups (page 4, section 38, page 5, section 46).

As to claim 14, the method of claim 9, Morgan further discloses the method

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including automatically assigning the digital address to each luminaire (page 5, section 46).

As to claim 15, the method of claim 9, Morgan further discloses the method including communicating commands to the luminaires over a network based on the digital address associated with each luminaire (page 4, section 43, page 5, section 46).

Response to Arguments

4. Applicants' arguments have been fully considered but they are not persuasive. Applicants argue on "prior arts fail to disclose automatically identifying a spatial position of each luminaire based on the one or more light measuring cells", which is not persuasive (see details above). Applicants should not only consider the part that examiner cited but also the whole invention of the prior art. Applicants also argue on "the prior arts fail to teach all method of the application", which is not persuasive. The prior art does not list all the detail of the method; however, one having ordinary skill in the art should know that the method described in the prior art could include all the method in the current application.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jianzi Chen whose telephone number is 5712705292. The examiner can normally be reached on Monday through Thursday 10:00- 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Owens can be reached on 5712721662. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jianzi Chen/
Examiner, Art Unit 2821

/Douglas W Owens/
Supervisory Patent Examiner, Art Unit 2821
April 11, 2009